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01/29/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 2167

Examiner: D. Hess

In re PATENT APPLICATION of

RECEIVED

Applicant : Akio SEKIYA)	JAN 24 2002
Appl. No. : 09/453,568)	Technology Center 2100
Filed : December 2, 1999)	
For : COMPUTING METHOD FOR)	PETITION TO RESTART
ACCOUNTING)	PERIOD FOR REPLY
Atty. Dkt. : HAG 114)	

Attention: Group DirectorCommission for Patents
Washington, D.C. 20231

Sir:

It is respectfully requested that the period for reply to the Examiner's Action mailed October 19, 2001 be reset and restarted to January 14, 2002. Delivery of the Examiner's Action was delayed after mailing.

The Law Firm at the below-given correspondence address has implemented strict procedures and controls to be followed when correspondence is received from the United States Patent and Trademark Office (PTO) so as to prevent the loss or misplacement of any and all mail received from the PTO, and which ensures that all official actions are acted upon in a timely fashion. These procedures and controls include utilizing a single, specially trained individual to open, date stamp, and match Patent Office mail with the correct corresponding file upon its receipt at the correspondence address.

FEE ENCLOSED:\$
Please charge any further
fee to our Deposit Account
No. 18-0002

As evidenced by the first of the two attached pages of the Examiner's Action, which is date stamped January 14, 2002, the date of receipt of the Examiner's Action at the correspondence address given below was January 14, 2002. Thus, since (1) this Petition is being filed within 2 weeks of the date of receipt of the Examiner's Action at said correspondence address; (2) a substantial portion of the set reply period had already elapsed on the date of receipt (at least one month); and (3) this Petition includes the necessary evidence showing the date of receipt of the PTO action at said correspondence address, together with the required statement setting forth the date of receipt of the PTO action at said correspondence address and which explains how the presented evidence establishes the date of receipt of the PTO action at said correspondence address, it is requested that this Petition be granted, and that the period for response be restarted to begin on January 14, 2002.

It is not believed that any fee is due for such a Petition. However, authorization is given to charge our deposit account number 18-0002 for any fees that may be due for such Petition.

Respectfully submitted,



January 22, 2002
Date

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SMR:pjl



UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/453,568 12/02/99 SEKIYA

A HAG 114

023995
RABIN & CHAMPAIGNE, PC
1101 14TH STREET, NW
SUITE 500
WASHINGTON DC 20005

TM02/1019

EXAMINER

Docketed By *QH*
DKT. No *HAG-114*
Due Date *1/19/02*

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JAN 14 2002

BY: _____

HESS, D
ART UNIT PAPER NUMBER

2167
DATE MAILED:

10/19/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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JAN 24 2002

Technology Center 2100

Office Action Summary

O I P E

JAN 2 2002

TRADEMARK OFFICE LLC

Application No.
09/453,568

Applicant(s)

Sekiya

Examiner

Douglas Hess

Art Unit

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on Dec 2, 1999

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-14 is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-14 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claims _____ are subject to restriction and/or election requirement.

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Application Papers

Technology Center 2100

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are objected to by the Examiner.

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) All b) Some* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. _____.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) Notice of References Cited (PTO-892)

18) Interview Summary (PTO-413) Paper No(s). _____

16) Notice of Draftsperson's Patent Drawing Review (PTO-948)

19) Notice of Informal Patent Application (PTO-152)

17) Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____

20) Other: _____